

# CITY OF KIRBY, TEXAS

*Timothy Wilson, Mayor*



Stephanie Faulkner, Mayor Pro-Tem  
Mike Grant  
Jerry Lehman

John W. Pierce  
Roger A. Romens  
Debra Wilson

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CITY COUNCIL MINUTES  
REGULAR MEETING  
THURSDAY, MAY 12, 2016 – 7:00 P.M.  
CITY HALL COUNCIL CHAMBER  
112 BAUMAN, KIRBY, TX 78219

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**1. Call Meeting to Order:**

Mayor Wilson called the meeting to order at 7:00 P.M.

**2. Invocation and Pledge of Allegiance to the Flag:**

Jerry Canupp, Pastor of Kirby Baptist Church, led the invocation and followed with the pledge of allegiance to the flag.

**3. Mission Statement:**

“The City of Kirby is dedicated to delivering excellent municipal services to our entire community in a fiscally responsible manner.”

**4. Roll Call:**

PRESENT

ABSENT

Mayor Wilson  
Mayor Pro-Tem Faulkner  
Council Member Grant, arrived at 7:30 P.M.  
Council Member Pierce  
Council Member Lehman

Council Member Wilson  
Council Member Romens

**5. Citizen Participation:**

1. Sid Sanders, Jr., 5202 Binz Engleman - He informed Council he was representing St. Joan of Arc Church and they have a concern about the Animal Control Facility. They thought there would be more distance between the church and the Animal Control Facility and the stages of construction would be 3 – 5 years toward completion. He would like to know why the City changed the plan. Also, they endorsed “In God We Trust” being placed on City vehicles.

2. Willie Mae Clay – She thanked Officer Fitz and Officer Rendon for helping her safely cross the street after exiting the VIA bus with her scooter. She feels very secure and protected in Kirby. She asked Roger Aguillon and a council member to look at her property because there is water flowing onto her property and creating areas for mosquitos to breed.

**6. Consent Agenda:**

a. Regular Meeting Minutes – April 28, 2016

Mayor Pro-Tem Faulkner moved to approve the consent agenda as written; seconded by Council Member Lehman.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

**7. Discussion And Possible Action:**

a. Discussion And Consideration Regarding Approval of Canvassing The General Election Returns And Declaring The Results Of The General Election Held May 7, 2016, For The Purpose Of Electing Three (3) Council Members To The City Of Kirby

Ms. Jo Harvey provided the results from the 2016 General Election.

b. Discussion And Consideration Of Resolution No. R-2016-672 Canvassing The Returns And Declaring The Results Of The General Election Held May 7, 2016

Council Member Grant moved to accept Resolution No. R-2016-672 canvassing the returns and declaring the results of the General Election held May 7, 2016; seconded by Mayor Pro-Tem Faulkner.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

c. Presentation Of Certificates Of Election To Newly Elected Officials

John W. Pierce, Jerry Lehman and Debra Wilson were presented their Certificates of Election to newly elected officials.

d. Administration of Oath Of Office To Newly Elected Officials

John W. Pierce, Jerry Lehman and Debra Wilson were administered the Oath of Office for newly elected officials.

e. Discussion And Possible Action To Appoint A Mayor Pro-Tem For The Term May 2016 - May 2017

Council Member Lehman moved to appoint Stephanie Faulkner as Mayor Pro-Tem for the term May 2016 – May 2017; seconded by Council Member Grant.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

f. Discussion And Possible Action To Consider The Statement, “In God We Trust” Being Placed On City Vehicles

Mayor Wilson read a Resolution into the minutes to adopt “In God We Trust” to be placed on City vehicles.

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRBY, TEXAS, AUTHORIZING THE USE OF THE MOTTO “IN GOD WE TRUST” ON CITY VEHICLES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1956, President Dwight Eisenhower signed Public Law 84-140, which was passed by the 84<sup>th</sup> Congress, directed the Treasury to use “In God We Trust” on money. Congress also said in a joint resolution, Public Law 84-851, that “the national motto of the United States is hereby declared to be ‘In God We Trust’;” and

WHEREAS, in November 2015, Texas Attorney General Ken Paxton issued a legal opinion that police cars showing the motto in this state aren’t violating the First Amendment’s Establishment clause; and

WHEREAS, the City desires to display a patriotic motto that will honor the patriotism of our citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KIRBY, TEXAS:

Section 1. That the City of Kirby, Texas, hereby authorizes the use of the motto "In God We Trust" on all city vehicles.

Section 2. That this Resolution shall become effective immediately upon passage and approval, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KIRBY, TEXAS, this 12<sup>th</sup> day of May, 2016."

Council Member Grant moved to adopt the Resolution allowing placing "In God We Trust on City vehicles; seconded by Council Member Pierce.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

- g. Discussion And Possible Action Of Entering Into An Agreement With Slow-Pitch Amateur Softball League, For The Use Of Land Owned By The City Of Kirby To Conduct Slow-Pitch Amateur Softball League Athletic Functions

City Manager Vernon said Rob Stevens' proposal for the Slow-Pitch Amateur Softball League is to use the field during the summer starting in June.

Rob Stevens said the League would use the field on Sunday afternoon and Wednesday.

The discussions included the use of food trucks or bar-b-que. They would not be using the GNELL concession stand. Mr. Stevens understands that if he does not maintain the field there would be a \$150 fee assessed if the City mows the field and that the League would have to provide their own bases. The contract will be changed to reflect a two year contract with usage on Sunday and Wednesday.

Mayor Pro-Tem Faulkner moved to enter into an agreement with Slow-Pitch Amateur Softball League, for the use of land owned by the City of Kirby to conduct Slow-Pitch Amateur Softball League Athletic functions, and change the contract to reflect a two year contract with usage on Sunday and Wednesday; seconded by Council Member Grant.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

- h. Discussion And Possible Action To Consider Ordinance No. O-2016-787 Repealing Ordinance No. 90-465 And Establishing A Program For Response And Recovery Phases Of Comprehensive Emergency Management; Acknowledging The Office Of Emergency Management Director; Authorizing The Appointment Of An Emergency Management Coordinator; And Providing For The Duties And Responsibilities Of Those Offices; Identifying An Operational Organization; Granting Necessary Powers To Cope With All Phases Of Emergency Management Which Threaten Life And Property In The City Of Kirby, Texas; Authorizing Cooperative And Mutual Aid Agreements For Relief Work Between This And Other Cities Or Counties And For Related Purposes; And Providing For Penalties For Any Violation Of This Ordinance. This Is The First Reading

Mr. William Hilburn, Kirby Fire Department – Emergency Management Coordinator, informed Council the Emergency Management plan was not changing, only assigning him as Emergency Management Coordinator to join with Bexar County and the jurisdictional Emergency Management System. Scott Lambert from Bexar County was available to provide more insight. Mayor Wilson will remain the Emergency Management Director for the City.

Mayor Pro-Tem Faulkner moved to accept Ordinance No. O-2016-787 repealing Ordinance No. 90-465 and establishing a program for response and recovery phases of comprehensive emergency management; acknowledging the Office of Emergency Management Director; authorizing the appointment of an Emergency Management Coordinator; and providing for the duties and responsibilities of those offices; identifying an operational organization; granting necessary powers to cope with all phases of emergency management which threaten life and property in the city of Kirby, Texas; authorizing cooperative and mutual aid agreements for relief work between this and other cities or counties and for related purposes; and providing for penalties for any violation of this ordinance; seconded by Council Member Grant.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

- i. Discussion And Possible Action To Consider Resolution No. R-2016-673 Authorizing The Mayor Of the City Of Kirby To Sign An Agreement Between Bexar County and City Of Kirby Establishing An Emergency Management Program

Council member Grant moved to accept Resolution No. R-2016-673 authorizing the Mayor of the City of Kirby to sign an agreement between Bexar County and City of Kirby establishing an Emergency Management Program; seconded by Council Member Pierce.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

j. Discussion And Possible Action Regarding Upcoming Water Projects To Include Painting Of Water Towers And Water Lines Replacement

Mayor Wilson disposed of this item because same as k and l because they represent j.

k. Discussion And Possible Action To Consider Proposals From Ford Engineering For Replacement Of Water Lines On Cinderella, Coral Mist And Hickory Hill

Roger Aguillon, Public Works Director, provided the cost for the water line replacement on Cinderella \$226,718.18, Coral Mist \$235,984.28 and Hickory Hill \$191,700.84.

City Manager Vernon informed Council the engineering fees are \$81,090.00.

Mark Hill, City Engineer, informed Council they hoped to have a bid packet ready the first week of June, in order to meet the Council's deadline.

Council Member Lehman asked for confirmation that the water lines would be placed in the streets. Roger Aguillon, Public Works Director said the water lines would be placed in the streets, but there would be digging in the yards only where the water meters are located to attach the existing meter to the main in the street.

Council Member Grant moved to accept the proposals from Ford Engineering for replacement of water lines on Cinderella, Coral Mist and Hickory Hill; seconded by Mayor Pro-Tem Faulkner.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

l. Discussion And Possible Action To Consider Proposals From Ford Engineering For The Painting Of Water Towers

City Manager Vernon informed Council the engineering fees are \$50,790.

Council Member Romens inquired about the fee for surveying an existing property. Mr. Hill explained the survey was to conduct a field locate for the site plan. Mr. Aguillon stated that TCEQ informed them the City did not have a recorded metes and bounds for the site.

Mayor Wilson asked that the painting of the towers match the tower on Peppermint.

Mayor Pro-Tem Faulkner moved to accept the proposals from Ford Engineering for the painting of the water towers; seconded by Council Member Grant.

The motion carried with a 7-0 vote.

AYES – 7

NO – 0

**8. Council Updates:**

- a. Planning & Zoning
- b. Buildings & Standards
- c. Crime Control
- d. Beautification & Recycling
- e. Parks & Recreation
- f. Economic Development
- g. Ordinance Review

a. Planning & Zoning – Council Member Romens stated there will be three public hearings to be heard at the next Council meeting. He asked that staff provide individuals with direction in order to facilitate businesses wanting to open in the City.

b. Building & Standards – Council Member Lehman stated there was discussion about 107 Macrae at their previous meeting and other properties that have been vacant for three years.

c. Crime Control – Council Member Pierce stated there was nothing to report at this time.

d. Beautification & Recycling – Council Member Wilson stated there was nothing to report at this time.

e. Parks & Recreation – Kelly Wilson reported on the activities for the 4<sup>th</sup> of July event.

f. Economic Development – Mayor Wilson stated the Façade Grant Workshop was scheduled and nobody attended.

g. Ordinance Review – Mayor Pro-Tem Faulkner stated their next meeting will be on May 17 at 6:30 P.M.

**9. Requests and Announcements**

- a. Requests By Mayor And Council Members For Items To Be Placed On Future City Council Agendas And Announcements On City Events/Community Interests

Council Member Romens – Congratulated Sue for the award she received as Volunteer of the Year for Bexar County. May 20 Kirby Middle School will host a block party and alumni night and May 21 is Armed Forces Day. He asked that we take the time to recognize those that are serving. He requested an update on Emergency Management Plan. It's important that we know specifically what we are accountable for as a City. Preparedness comes before the emergency happens. Mayor Wilson stated William Hilburn has the books and to contact him to review the books.

Council Member Wilson – She addressed Ms. Sue in the audience and congratulated her, requested an update on the swimming pool. She said while block walking she was asked about her residency. She wanted to assure voters that she has been a resident of Kirby for over 40 years and was proud to represent the City of Kirby. She asked City Manager Vernon about placing Facebook on the City's website. City Manager Vernon – we are working on the internal part and was waiting for the tag line to be awarded so it can be posted. She reminded staff that next week is Police Week.

Council Member Pierce – He thanked everyone for voting, requested a copy of the ordinance book. He echoed Council member Wilson stating that next week is Police Week and appreciated Council for passing the resolution allowing "In God We Trust" being placed on City vehicles.

Council Member Grant – He stated that only in Kirby would you be able to offer the help that was extended to Ms. Willie Mae.

Council Member Lehman – Thanked everyone for voting. He's starting his 34<sup>th</sup> year today and hoped to continue serving the City. He congratulated Sue on her well-deserved award.

Mayor Pro-Tem Faulkner – She stated there will be tennis in the park for the next three Saturdays, 10 AM – 11 AM. There will be three day summer camps conducted in June and July. The details will be provided as soon as they are confirmed. Thanked Chief Riedel and Chief Bois for a successful HOBBO Fest, thanked William Hilburn for running the Parade and thanked January Dugan for taking possession of dogs for a family in an emergency situation.

Mayor Wilson – He requested recommendations and pricing for what to do with tennis court. He congratulated Council Members Pierce, Wilson and Lehman on being re-elected. In regards to the Animal Control Facility, he said it's the coordination between the City and Bexar County to service and better care for the animals and better use of the funds in the City and Bexar County. He has expressed his interest in moving forwards with Phases 2 and 3 and we will make sure that everyone is aware of what is taking place. He stated January almost made \$1,000 on the Big Give and she wants a storage building to store her equipment. He stated that he thought Council could show her appreciation by providing her with the building she needs to run the shelter. He asked her to provide the numbers needed for a budget amendment. Thanked Officer Laymon for providing the security needed for the 64<sup>th</sup> KVFD/HOBBO Fest. He



asked Patty Cox to provide a flow chart to identify the steps needed to obtain a building permit whether commercial or residential to be provided to contractors and residents to provide and keep accountability of building in the City. We need to raise the services provided. He thanked Officer Rendon and Officer Fitz for helping Ms. Willie Mae. He congratulated Ms. Sue for her award, there are two volunteers who work at the animal shelter full time. He asked Council nominate City of Kirby Volunteer of the Year to be given out the first meeting in June. There will be a rabies clinic on Saturday. He recognized William Hilburn for the hours he volunteers and does not complain. He volunteered as the Emergency Management Coordinator and has prepared three exercises. He asked that we start spraying for mosquitoes. He thanked everyone for attending the meeting.

**10. Adjournment**

The meeting adjourned at 8:24 P.M.

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Stephanie Faulkner  
Mayor Pro-Tem

ATTEST:

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Patty Cox, TRMC  
City Secretary